

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STRUCTURAL POLYMER GROUP, LTD.,)
and STRUCTURAL POLYMER)
SYSTEMS, LTD.,)
)
Plaintiffs,)
)
vs.) No. 4:05-CV-321 (CEJ)
)
ZOLTEK CORPORATION,)
)
Defendant.)

ORDER

On July 3, 2006, defendant filed a motion to quash the deposition of Phillips Lemos. The motion included a request for expedited briefing and ruling. On July 5, 2006, defendant filed a motion to compel the deposition of Adrian Williams in St. Louis, with a similar request for expedited briefing and ruling. Between July 3rd and July 7th, eight documents were filed directed to these two scheduling matters, which the parties resolved on July 6th and July 7th without Court intervention.

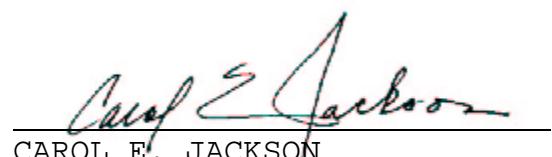
The local rules of this Court provide that: "The Court will not consider any motion relating to discovery . . . unless it contains a statement that movant's counsel has conferred in person or by telephone with the opposing counsel in good faith or has made reasonable efforts to do so, but that after sincere efforts to resolve their dispute, counsel are unable to reach an accord." E.D.Mo. L.R. 3.04(A). Although both motions contain the necessary recitation, the circumstances suggest that only minimal efforts were made to comply with the Rule before the motions were filed. Of greater concern is the tone of recrimination that has entered

into the recent filings, most notably plaintiffs' surreply. Counsels' conduct has wasted the Court's time, increased the parties' expenses, and interfered with careful consideration of the parties' legitimate disputes.

IT IS HEREBY ORDERED that defendant's motion to quash [#157] is **denied as moot**.

IT IS FURTHER ORDERED that defendant's motion for leave to file its reply under seal [#165] is **granted**.

IT IS FURTHER ORDERED that plaintiffs' motion for leave to file a surreply [#166] is **denied**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 10th day of July, 2006.